

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Confirmation No.: 1804

Michael Klingeberg, et al.

Date: September 10, 2010

Serial No.: 10/561,122

Group Art Unit: 1623

Filed: February 2, 2006

Examiner: Traviss C. McIntosh III

For: USE OF ISOMALT AS A PREBIOTIC (As Amended)

VIA EFS-WEB

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**AMENDMENT**

Sir:

This is a response to the Office Action mailed June 11, 2010 in the above-identified application. Reconsideration of the application is respectfully requested.

**FEE CALCULATION**

Any additional fee required has been calculated as follows:

\_\_\_\_\_ If checked, "Small Entity" status is claimed.

	NO. CLAIMS AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		EXTRA PRESENT		RATE	ADDIT. FEE
TOTAL	29	MINUS	31	* =	0	X	(\$26 SE or \$52)	\$ 0
INDEP.	5	MINUS	4	** =	1	X	(\$110 SE or \$220)	\$ 220.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM						X	(\$195 SE or \$390)	\$ 0
								TOTAL \$ 220.00

\* not less than 20 \*\* not less than 3

Credit card payment in the amount of \$220.00 is submitted via EFS-Web.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

### **CONTINGENT EXTENSION REQUEST**

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

### **SUMMARY OF AMENDMENTS**

1. \_\_\_\_ If checked, an abstract (an amended abstract) is submitted herewith.
2. \_\_\_\_ If checked, amendment(s) to the drawings are submitted herewith.
3. \_\_\_\_ If checked, amendment(s) to the specification are submitted herewith.
4.   X   If checked, amendments to the claims are submitted herewith.